1 2 3 4 5 UNITED STATES DISTRICT COURT 6 7 EASTERN DISTRICT OF CALIFORNIA 8 9 PETER FUGAWA, Case No. 11-cv-00966-LJO-SKO (PC) 10 Plaintiff, AMENDED SECOND 11 SCHEDULING ORDER v. 12 L. De ARMOND. Telephonic Trial Confirmation Hearing: November 28, 2018, at 9:00 AM in Courtroom 4 (LJO) 13 Defendant. Jury Trial: January 22, 2019, at 1:30 PM in Courtroom 4 14 (LJO) 15 This action is scheduled for jury trial on January 22, 2019, and a Second Scheduling Order 16 has issued. (Docs. 74, 76.) Plaintiff requests modification of the Second Scheduling Order. 17 (Doc. 80.) Defense counsel has indicated that there is no opposition and that both parties agree to 18 move the Telephonic Trial Confirmation Hearing to November 28, 2018.¹ 19 Accordingly, the Court HEREBY ORDERS the pretrial schedule for this litigation is 20 amended as follows: 21 1. The telephonic trial confirmation hearing is rescheduled to **November 28, 2018 at** 22 9:00 AM before Chief Judge Lawrence J. O'Neill; ² 23 2. The deadline to file motions for attendance of incarcerated witnesses is rescheduled 24 to **November 14, 2018**; 25 26 ¹ For Plaintiff's edification, the Telephonic Trial Confirmation Hearing is the final pretrial conference for purposes of Local Rule 281. Aside from the schedule modifications herein, Plaintiff may subpoena unincarcerated witnesses 27 for trial pursuant to Federal Rule of Civil Procedure 45 subject to requirements set forth in the Second Scheduling Order if he desires service by the United States Marshall. 28 ² The modification request indicates that Plaintiff's counsel intends to personally attend this conference, in which

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event defense counsel may call (559) 499-5680 directly.

1	3. The deadline to file oppositions or statements of non-opposition to motions for the
2	attendance of incarcerated witnesses is rescheduled to December 5, 2018 ;
3	4. If Plaintiff wishes to obtain the attendance of unincarcerated witnesses who refuse
4	to testify voluntarily via his in forma pauperis status, Plaintiff must notify the Court
5	of their names and locations on or before November 14, 2018, and Plaintiff must
6	submit the money orders, as described in subsection 4 of the Second Scheduling
7	Order, (Doc. 76), to the Court on or before December 5, 2018 ; and
8	5. All other dates and requirements set forth in the Second Scheduling Order remain in
9	effect.
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11	IT IS SO ORDERED.
12	Dated: October 23, 2018 /s/ Lawrence J. O'Neill
13	UNITED STATES CHIEF DISTRICT JUDGE
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